

LONG FORM NOTICE

Were you subjected to Segregation in a Manitoba Provincial Custodial Facility between September 12, 2006 and June 4, 2026?

You may be able to claim money in a class action lawsuit. Please read this legal notice carefully.

- The Court has approved a Settlement in a lawsuit about Segregation in Manitoba Provincial Custodial Facilities. The Settlement is worth up to \$129 million.
- The class includes people who were inmates in Manitoba Provincial Custodial Facilities, and who were subjected to Segregation:
 1. Between September 12, 2006 and June 4, 2026, as a Youth; or
 2. Between September 12, 2012 and June 4, 2026:
 - a. For at least 15 consecutive days, or
 - b. While suffering from a Serious Mental Illness.
- Certain placements are presumptively statute-barred. This means you can only make a claim through the Statute Barred Claims Process. This applies to you if your only placements in Segregation were:
 - o Adult placements before September 12, 2016, when you did not suffer from a Mental Illness; or
 - o If you turned 18 years of age on or before September 12, 2012, youth placements before September 12, 2012.

If this applies to you, you should fill out a Claim Form and the Administrator or Class Counsel will contact you with regards to the Statute Barred Claims Process.

- Eligible class members may receive awards starting at \$3,000 (Inmates who were segregated for 15 days or more), \$6,000 (Inmates with defined Serious Mental Illnesses) or \$9,000 (Youth Inmates) depending on your circumstances.
- Class members may be entitled to additional amounts if they were subjected to a prolonged period of Segregation or if they suffered specific, provable harms while segregated. Youth Inmates may be eligible for up to \$100,000; SMI Inmates may be eligible for up to \$91,000; and Prolonged Inmates may be eligible for up to \$88,000.

IMPORTANT: If you don't submit a Claim Form before August 24th, 2027, you won't be able to receive any money from this lawsuit

Why is there a notice?

The Court has approved this notice to let you know your rights. The Court previously certified a lawsuit known as *Gamblin et al. v. Manitoba*, Court File No. CI21-01-31242. The person who sued is called the Plaintiff. Manitoba is the Defendant.

You might have already received notice of certification of this lawsuit. This notice is to update you on important developments in this lawsuit and to inform you about who can make a claim for money.

- On June 4, 2026, the Court approved the proposed Settlement reached by the parties providing for up to \$129 million. The Court also approved legal fees, disbursements, honorarium, administration expenses and applicable taxes that will be deducted from the Settlement.
- Class Members who want to claim money from the Settlement must submit a Claim Form before August 24th, 2027.
- Class members who were subjected to placements in Segregation between February 28, 2026 and June 4, 2026, may exclude those placements from the class action by opting out by October 8, 2026.

What is this lawsuit about?

The lawsuit says that Manitoba improperly subjected inmates to segregation. The lawsuit says that such segregation constitutes breaches of fiduciary duties, systemic negligence and breaches of inmates' rights under the *Canadian Charter of Rights and Freedoms*. Manitoba denies these claims.

Who is a member of the Class?

The Class includes:

Youth Inmates

All current and former inmates, who were alive as of September 12, 2016, who, while under the age of 18, were subjected to Preventive Segregation at one of the Provincial Custodial Facilities for any length of time between September 12, 2006 and June 4, 2026.

Inmates in Prolonged Solitary Confinement

All current and former inmates, who were alive as of September 12, 2016, who were subjected to Solitary Confinement for 15 or more consecutive days at one of the Provincial Custodial Facilities between September 12, 2012 and June 4, 2026.

Inmates with a Serious Mental Illness

All current and former inmates, who were alive as of September 12, 2016, who were subjected to Disciplinary Segregation or Preventive Segregation for any length of time at one of the Provincial Custodial Facilities between September 12, 2012 and June 4, 2026; who were diagnosed by a medical doctor before or during their incarceration with at least one of the following disorders, as defined in the relevant Diagnostic and **Statistics** Manual of Mental Disorders (“**DSM**”):

- Schizophrenia (all sub-types),
- Delusional disorder,
- Schizophreniform disorder,
- Schizoaffective disorder,
- Brief psychotic disorder,
- Substance-induced psychotic disorder (excluding intoxications and withdrawal),
- Psychotic disorder not otherwise specified,
- Major depressive disorders,
- Bipolar disorder I,
- Bipolar disorder II,
- Neurocognitive disorders and/or Delirium, Dementia and Amnestic and Other Cognitive Disorders,
- Post-Traumatic Stress Disorder;
- Obsessive Compulsive Disorder; or
- Borderline Personality Disorder;

and who suffered from their disorder, in a manner described below, and who reported such diagnosis and suffering to the Government of Manitoba and/or its agents before or during their segregation:

- Significant impairment in judgment (including all of the following: the inability to make decisions, confusion, and disorientation);
- Significant impairment in thinking (including both paranoia and delusions that make the offender a danger to self or others);

- Significant impairment in mood (including constant depressed mood plus helplessness and hopelessness; agitation; manic mood that interfered with ability to effectively interact with other offenders or staff);
- Significant impairment in communications that interferes with ability to effectively interact with other offenders or staff;
- Hallucinations; delusions; or, severe obsessional rituals that interferes with ability to effectively interact with other offenders or staff;
- Chronic and severe suicidal ideation resulting in increased risk for suicide attempts; or
- Chronic and severe self-injury.

What if I don't want to be in the lawsuit?

Class members who were placed in Segregation between February 28, 2026 and June 4, 2026 may opt out by submitting an Opt-Out Form available at <https://proactio.ca/en/class-action/manitobasegregation> to the Administrator. The Opt-Out Form must be submitted by October 8, 2026.

If you opt out, you will not be eligible to make a claim for money from the Settlement for placements in Segregation between February 28, 2026 and June 4, 2026. Neither you nor Manitoba will be bound by any Court findings or orders in this action. Subject to the defences Manitoba may raise, you keep your right to independently sue Manitoba as an individual regarding placements in Segregation between February 28, 2026 and June 4, 2026, but cannot rely on the settlement terms to support your claim.

Am I eligible for compensation?

If you are a Class Member, you must submit a Claim Form before August 24th, 2027. The Claims Administrator, or a Claims Adjudicator if applicable, will determine if you are eligible to receive a Base Payment, or a Serious Harms Award, or both.

Class Members may be eligible for an award from the Settlement, if:

1. **Youth Inmates:** They spent at least 6 hours in Segregation between September 12, 2006 and June 4, 2026;
2. **Serious Mental Illness ("SMI") Inmates:** They spent at least 22 hours in Segregation **and** their records establish, in accordance with the criteria

detailed in the Claims Process, that Manitoba knew or ought to have known that they suffered from a Mental Illness between September 12, 2012 and June 4, 2026; **or**

3. **Prolonged Inmates:** They spent 15 or more consecutive days (15 or more days in a row) in Segregation between September 12, 2012 and June 4, 2026.

Statute Barred Claims

Certain placements are presumptively statute-barred. This means you can only make a claim through the Statute Barred Claims Process. This applies to you if your only placements in Segregation were:

- Adult placements before September 12, 2016, when you did not suffer from a Serious Mental Illness; or
- If you turned 18 years of age on or before September 12, 2012, youth placements before September 12, 2012.

If this applies to you, you should fill out a Claim Form and the Administrator or Class Counsel will contact you with regards to the Statute Barred Claims Process.

If you had placements in Segregation both before and after the dates set out above, and you want your placements before these dates to be considered, you must indicate to the Administrator that you wish to make a Statute-Barred Claim.

Statute-Barred Claims will only be approved if a Claimant proves that they were a person under a disability for the time between their placements in Segregation and the dates above. For your Statute-Barred Claim to be considered, you must provide medical, legal or institutional evidence that one of the following circumstances applied to you:

- a) Residency in a Psychiatric or Mental Health Facility or similar institution;
- b) Lengthy (three weeks or longer) hospitalization for a serious physical condition that affected the Claimant's ability to comprehend information, make decisions, or communicate;
- c) Certification under The Mental Health Act, CCSM, c M110, or a similar finding under equivalent legislation in another province;
- d) A court finding that the Claimant was not criminally responsible for a charged offence, or that the Claimant was unfit to stand trial for a charged offence;
- e) A finding made by a healthcare provider that the individual was incapable of giving, refusing, or revoking consent to health care; or

- f) A declaration of incompetence or incapability or that the Claimant was a person under a disability by another quasi-judicial decision-maker or tribunal.

How much money can I claim under the Settlement?

Depending on their circumstances, Class Members may be eligible to receive both a Base Payment and a Serious Harms Award.

You do not need to make two separate Claims. When you submit your Claim Form, your claim will be considered to assess your eligibility to receive both types of awards.

Base Payments

- All **Youth Inmates** will receive a Base Payment of up to \$9,000;
- All **SMI Inmates** will receive a Base Payment of up to \$6,000; and
- All **Prolonged Inmates** will receive a Base Payment of up to \$3,000.

Base Payments will be distributed first, before Serious Harms Awards. Base Payments may be reduced if needed to pay Base Payments to all eligible Claimants.

Serious Harms Award

You may be eligible for a Serious Harms Award on top of your Base Payment if:

1. You are a **Youth Inmate** and your eligible placements in Segregation (placements of 6 or more consecutive hours) add up to 15 or more days;
2. You are an **SMI Inmate** and your eligible placements in Segregation (placements of 22 or more consecutive hours) add up to 30 or more days; or
3. You are a **Prolonged Inmate** and your eligible placements in Segregation (placements of 15 or more consecutive days) add up to 45 or more days; or
4. You are a **Youth Inmate, an SMI Inmate or a Prolonged Inmate** and you suffered one or more of the specific and recorded harms described in the chart below.

If you are found eligible to receive a Serious Harms Award, you will receive an award calculated in accordance with the following chart:

BOX 1: LENGTHY AND REPEATED PLACEMENTS			
Cumulative Total Length of All Eligible Placements	Youth Inmates	SMI Inmates	Prolonged Inmates
15-29 days	\$8,000	n/a	n/a
30-44 days	\$12,000	\$8,000	n/a
45-59 days	\$16,000	\$12,000	\$5,000
60-74 days	\$20,000	\$16,000	\$9,000
75-89 days	\$24,000	\$20,000	\$13,000
90-104 days	\$28,000	\$24,000	\$17,000
105-134 days	\$32,000	\$26,000	\$21,000
135-164 days	\$36,000	\$30,000	\$25,000
165-199 days	\$40,000	\$35,000	\$30,000
200-249 days	\$45,000	\$40,000	\$35,000
250-299 days	\$50,000	\$45,000	\$40,000
300 or more days	\$55,000	\$50,000	\$45,000
BOX 2: SPECIFIC AND RECORDED HARMS			
New diagnosis of a mental illness defined in Axis 1 of the <i>Diagnostic and Statistical Manual of Mental Disorders</i>, Fourth Edition ("DSM-4") during or within 120 days of an Eligible Placement OR Transfer to a Psychiatric or Mental Health Facility during or within 90 days after an Eligible Placement that is not court ordered, a term of probation or sentence, or related to addiction recovery, rehabilitation or detox.	\$35,000		
Self-injurious behaviour while alone or in the presence of Manitoba Corrections Staff during or within 90 days after an Eligible Placement.	\$10,000		
Suicide attempt during or within 90 days of an Eligible Placement.	\$40,000		

The maximum compensation Class Members may receive (combining Base Payments and Serious Harms Awards) is:

- Youth Inmates: **\$100,000**
- SMI Inmates: **\$91,000**
- Prolonged Inmates: **\$88,000**

Class Counsel or the Administrator may contact you in relation to your Claim, to ask questions, seek more information or request records. Unless the Administrator asks you for specific documents, you do not need to provide any records or evidence with your claim.

There are several other parts of the proposed Settlement that describe, amongst other things: access to records of segregation placements, disclosure of documents, and review procedures.

To review a complete copy of the Settlement, please visit the Administrator's website (<https://proactio.ca/en/class-action/manitobasegregation>) or contact the Administrator by phone (204 515-2007 / 1 888 329-9698) or by email (manitobasegregation@proactio.ca).

How do I make a Claim?

You must submit a fully completed Court-approved Claim Form to the Claims Administrator by August 24th, 2027, or else you will not be eligible to receive any money.

You can complete the Claim Form online at:
<https://mbsegregation.proactio.ca/en-US/>

If you cannot complete the Claim Form online, you have the following options:

- 1. Incarcerated Claimants:** If you are currently incarcerated in a Manitoba jail, you can get a Claim Form and pre-paid postage return envelope by asking the staff on your living unit.
- 2. At a Probation Office:** You can also ask for a copy of the Claim Form from your Probation Office in Manitoba.

3. **Online or by Email:** Download the Claim Form online or request a copy of the Claim Form by email:

Website: <https://proactio.ca/en/class-action/manitobasegregation>

Email: manitobasegregation@proactio.ca

4. **By Phone:** You can phone the Administrator to complete your Claim Form over the phone, or to request a digital or paper copy of the Claim Form:

Phone: 204 515-2007 / 1 888 329-9698

5. **By Mail:** You can also write to the Administrator and ask them to send you a Claim Form by mail:

Mail: Proactio
Class Action – MB Segregation
140, Grande Allée Est Bureau 200
Quebec, QC,
G1R 5P7

Submitting Your Claim Form

Digital Claim Forms should be sent to: manitobasegregation@proactio.ca

Paper Claim Forms should be sent by mail to:

Proactio
Class Action – MB Segregation
140, Grande Allée Est Bureau 200
Quebec, QC,
G1R 5P7

If a paper Claim Form is used, the postmark (date stamped by Canada Post) on the envelope will be considered as the day the Claim Form was submitted to the Claims Administrator.

Class Counsel can help you to complete your Claim Form. If you need assistance, please contact Class Counsel using the details below.

What if I do not make a Claim?

If you do not make a Claim before August 24th, 2027, you will not be able to get any money as a result of this settlement, and you will be forever releasing any lawsuits you may have had against Manitoba in respect to Segregation in Manitoba jails. You will not be able to sue Manitoba independently for your experiences in Segregation.

Even if you previously provided information to Class Counsel, another lawyer, or a support agency, you must still submit a Claim Form before August 24th, 2027, or you will not be eligible to receive any money.

Do I have a lawyer in the case?

Yes. The Court has appointed Koskie Minsky LLP from Toronto to represent you and other Class Members as “**Class Counsel.**” You will not be personally charged for these lawyers.

You can contact **Koskie Minsky LLP** by phone at 1-866-777-6344 (toll free) or by email at manitobasolitaryconfinementclassaction@kmlaw.ca.

How do I get more information?

You can get more information at <https://proactio.ca/en/class-action/manitobasegregation>, by calling toll free at 1 888 329-9698, or writing to: "Proactio Class Action – MB Segregation 140, Grande Allée Est Bureau 200Quebec, QC,G1R 5P7 " or by email at: manitobasegregation@proactio.ca .